

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3

4 UNITED STATES OF AMERICA,

No. C 09-811 CW

5 Plaintiff,

ORDER REGARDING  
DEFENDANT'S MOTION  
FOR A JUDICIAL  
RECOMMENDATION TO  
THE BUREAU OF  
PRISONS

6 v.

7 ALFRED ALAN CRAVEN,

8 Defendant.

9 \_\_\_\_\_ /  
10 Defendant Alfred Alan Craven moves for a judicial  
11 recommendation to the Bureau of Prisons (BOP) to consider placing  
12 him into a half-way house or home confinement for the final twelve  
13 months of his term of imprisonment.

14 While the BOP has the sole power to designate the place of a  
15 prisoner's imprisonment, the court that imposed the sentence may  
16 make non-binding recommendations to the BOP regarding the type of  
17 facility in which the prisoner is housed. 18 U.S.C.  
18 § 3621(b)(4)(B). Further, the Second Chance Act of 2007, 18  
19 U.S.C. § 3624(c), provides that,

20 (1) In general. The Director of the Bureau of Prisons  
21 shall, to the extent practicable, ensure that a prisoner  
22 serving a term of imprisonment spends a portion of the  
23 final months of that term (not to exceed 12 months),  
24 under conditions that will afford that prisoner a  
reasonable opportunity to adjust to and prepare for the  
reentry of that prisoner into the community. Such  
conditions may include a community correctional  
facility.

25 (2) Home confinement authority. The authority under  
26 this subsection may be used to place a prisoner in home  
27 confinement for the shorter of 10 percent of the term of  
imprisonment of that prisoner or 6 months.

28

1 See also 28 C.F.R. § 570.21 (time-frames for pre-release community  
2 confinement). The Court notes that Defendant's request for a  
3 recommendation of twelve months of home confinement exceeds the  
4 maximum amount authorized under 18 U.S.C. § 3624(c)(2).

5 Within fourteen days of the date of this Order, the United  
6 States Attorney shall file a response to Defendant's motion, and  
7 the United States Probation Office shall file a recommendation in  
8 response to Defendant's motion. Defendant's reply, if any, shall  
9 be due seven days thereafter. Defendant's motion shall be taken  
10 under submission on the papers.

11 IT IS SO ORDERED.

12  
13 Dated: 8/10/2012

  
CLAUDIA WILKEN  
United States District Judge